

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Tania Celine Peraza
20951 Wren Street
Apple Valley, CA 92308

Registered Nurse License No. 477575

Respondent

Case No. 2007-227

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on March 19, 2008.

IT IS SO ORDERED February 19, 2008.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 KAREN B. CHAPPELLE
Deputy Attorney General
3 KEVIN W. BUSH, State Bar No. 210322
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-2544
Facsimile: (213) 897-2804

6 Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

11 TANIA CELINE PERAZA
12 aka TANIA CELINE SLED
13 aka TANIA CELINE SAUCEDO
aka TANIA CELINE ROUNDY

14 Registered Nurse License No. 477575

15 Respondent.
16

Case No. 2007-227

OAH No. L-2007060557

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
19 above-entitled proceedings that the following matters are true:

20 PARTIES

21 1. Ruth Ann Terry, M.P.H, R.N (Complainant) is the Executive Officer of
22 the Board of Registered Nursing. She brought this action solely in her official capacity and is
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
24 by Kevin W. Bush, Deputy Attorney General.

25 2. Respondent Tania Celine Peraza aka Tania Celine Sled aka Tania Celine
26 Saucedo aka Tania Celine Roundy (Respondent) is represented in this proceeding by attorney
27 Mary Work, whose address is 1334 Parkview Avenue, Suite 100, Manhattan Beach, CA 90266.

28 3. On or about March 31, 1992, the Board of Registered Nursing issued

1 Registered Nurse License No. 477575 to Respondent. The license was in full force and effect at
2 all times relevant to the charges brought in Accusation No. 2007-227 and will expire on June 30,
3 2009, unless renewed.

4 JURISDICTION

5 4. Accusation No. 2007-227 was filed before the Board, and is currently
6 pending against Respondent. The Accusation and all other statutorily required documents were
7 properly served on Respondent on March 29, 2007, Respondent timely filed her Notice of
8 Defense contesting the Accusation. A copy of Accusation No. 2007-227 is attached as exhibit A
9 and incorporated herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, fully discussed with counsel, and
12 understands the charges and allegations in Accusation No. 2007-227. Respondent has also
13 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
14 Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
17 counsel at her own expense; the right to confront and cross-examine the witnesses against her;
18 the right to present evidence and to testify on her own behalf; the right to the issuance of
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to
20 reconsideration and court review of an adverse decision; and all other rights accorded by the
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
23 each and every right set forth above.

24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in
26 Accusation No. 2007-227.

27 9. Respondent agrees that her Registered Nurse License is subject to
28 discipline and she agrees to be bound by the Board of Registered Nursing (Board's) imposition

1 of discipline as set forth in the Disciplinary Order below.

2 RESERVATION

3 10. The admissions made by Respondent herein are only for the purposes of
4 this proceeding, or any other proceedings in which the Board or other professional licensing
5 agency is involved, and shall not be admissible in any other criminal or civil proceeding.

6 CONTINGENCY

7 11. This stipulation shall be subject to approval by the Board of Registered
8 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
9 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
10 and settlement, without notice to or participation by respondent or his counsel. By signing the
11 stipulation, respondent understands and agrees that he may not withdraw his agreement or seek to
12 rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to
13 adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order
14 shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
15 between the parties, and the Board shall not be disqualified from further action by having
16 considered this matter.

17 11. The parties understand and agree that facsimile copies of this Stipulated
18 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
19 force and effect as the originals.

20 12. In consideration of the foregoing admissions and stipulations, the parties
21 agree that the Board may, without further notice or formal proceeding, issue and enter the
22 following Disciplinary Order:

23 DISCIPLINARY ORDER

24 IT IS HEREBY ORDERED that Registered Nurse License No. 477575 issued to
25 Respondent Tania Celine Peraza aka Tania Celine Sled aka Tania Celine Saucedo aka Tania
26 Celine Roundy is revoked. However, the revocation is stayed and Respondent is placed on
27 probation for three (3) years on the following terms and conditions:

28 **Severability Clause.** Each condition of probation contained herein is a separate

1 and distinct condition. If any condition of this Order, or any application thereof, is declared
2 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
3 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
4 and enforceable to the fullest extent permitted by law.

5 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
6 A full and detailed account of any and all violations of law shall be reported by Respondent to
7 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
8 compliance with this condition, Respondent shall submit completed fingerprint forms and
9 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
10 as part of the licensure application process.

11 **Criminal Court Orders:** If Respondent is under criminal court orders, including
12 probation or parole, and the order is violated, this shall be deemed a violation of these probation
13 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

14 2. **Comply with the Board's Probation Program.** Respondent shall fully
15 comply with the conditions of the Probation Program established by the Board and cooperate
16 with representatives of the Board in its monitoring and investigation of the Respondent's
17 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
18 within no more than 15 days of any address change and shall at all times maintain an active,
19 current license status with the Board, including during any period of suspension.

20 Upon successful completion of probation, Respondent's license shall be fully
21 restored.

22 3. **Report in Person.** Respondent, during the period of probation, shall
23 appear in person at interviews/meetings as directed by the Board or its designated
24 representatives.

25 4. **Residency, Practice, or Licensure Outside of State.** Periods of
26 residency or practice as a registered nurse outside of California shall not apply toward a reduction
27 of this probation time period. Respondent's probation is tolled, if and when she resides outside
28 of California. Respondent must provide written notice to the Board within 15 days of any change

1 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
2 returning to practice in this state.

3 Respondent shall provide a list of all states and territories where she has ever been
4 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
5 provide information regarding the status of each license and any changes in such license status
6 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
7 new nursing license during the term of probation.

8 5. **Submit Written Reports.** Respondent, during the period of probation,
9 shall submit or cause to be submitted such written reports/declarations and verification of actions
10 under penalty of perjury, as required by the Board. These reports/declarations shall contain
11 statements relative to Respondent's compliance with all the conditions of the Board's Probation
12 Program. Respondent shall immediately execute all release of information forms as may be
13 required by the Board or its representatives.

14 Respondent shall provide a copy of this Decision to the nursing regulatory agency
15 in every state and territory in which she has a registered nurse license.

16 6. **Function as a Registered Nurse.** Respondent, during the period of
17 probation, shall engage in the practice of registered nursing in California for a minimum of 24
18 hours per week for 6 consecutive months or as determined by the Board.

19 For purposes of compliance with the section, "engage in the practice of registered
20 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
21 work in any non-direct patient care position that requires licensure as a registered nurse.

22 The Board may require that advanced practice nurses engage in advanced practice
23 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
24 Board.

25 If Respondent has not complied with this condition during the probationary term,
26 and Respondent has presented sufficient documentation of her good faith efforts to comply with
27 this condition, and if no other conditions have been violated, the Board, in its discretion, may
28 grant an extension of Respondent's probation period up to one year without further hearing in

1 order to comply with this condition. During the one year extension, all original conditions of
2 probation shall apply.

3 **7. Employment Approval and Reporting Requirements.** Respondent
4 shall obtain prior approval from the Board before commencing or continuing any employment,
5 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
6 performance evaluations and other employment related reports as a registered nurse upon request
7 of the Board.

8 Respondent shall provide a copy of this Decision to her employer and immediate
9 supervisors prior to commencement of any nursing or other health care related employment.

10 In addition to the above, Respondent shall notify the Board in writing within
11 seventy-two (72) hours after she obtains any nursing or other health care related employment.
12 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
13 terminated or separated, regardless of cause, from any nursing, or other health care related
14 employment with a full explanation of the circumstances surrounding the termination or
15 separation.

16 **8. Supervision.** Respondent shall obtain prior approval from the Board
17 regarding Respondent's level of supervision and/or collaboration before commencing or
18 continuing any employment as a registered nurse, or education and training that includes patient
19 care.

20 Respondent shall practice only under the direct supervision of a registered nurse
21 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
22 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
23 are approved.

24 Respondent's level of supervision and/or collaboration may include, but is not
25 limited to the following:

26 (a) Maximum - The individual providing supervision and/or collaboration is
27 present in the patient care area or in any other work setting at all times.

28 (b) Moderate - The individual providing supervision and/or collaboration is in

1 the patient care unit or in any other work setting at least half the hours Respondent works.

2 (c) Minimum - The individual providing supervision and/or collaboration has
3 person-to-person communication with Respondent at least twice during each shift worked.

4 (d) Home Health Care - If Respondent is approved to work in the home health
5 care setting, the individual providing supervision and/or collaboration shall have person-to-
6 person communication with Respondent as required by the Board each work day. Respondent
7 shall maintain telephone or other telecommunication contact with the individual providing
8 supervision and/or collaboration as required by the Board during each work day. The individual
9 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
10 site visits to patients' homes visited by Respondent with or without Respondent present.

11 9. **Employment Limitations.** Respondent shall not work for a nurse's
12 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
13 traveling nurse, or for an in-house nursing pool.

14 Respondent shall not work for a licensed home health agency as a visiting nurse
15 unless the registered nursing supervision and other protections for home visits have been
16 approved by the Board. Respondent shall not work in any other registered nursing occupation
17 where home visits are required.

18 Respondent shall not work in any health care setting as a supervisor of registered
19 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
20 nurses and/or unlicensed assistive personnel on a case-by-case basis.

21 Respondent shall not work as a faculty member in an approved school of nursing
22 or as an instructor in a Board approved continuing education program.

23 Respondent shall work only on a regularly assigned, identified and predetermined
24 worksite(s) and shall not work in a float capacity.

25 If Respondent is working or intends to work in excess of 40 hours per week, the
26 Board may request documentation to determine whether there should be restrictions on the hours
27 of work.

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1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
2 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
3 than six months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the
5 course(s). Respondent shall submit to the Board the original transcripts or certificates of
6 completion for the above required course(s). The Board shall return the original documents to
7 Respondent after photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
9 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$7,382.00. Respondent shall be permitted to pay these costs in a payment plan
11 approved by the Board, with payments to be completed no later than three months prior to the
12 end of the probation term.

13 If Respondent has not complied with this condition during the probationary term,
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may
16 grant an extension of Respondent's probation period up to one year without further hearing in
17 order to comply with this condition. During the one year extension, all original conditions of
18 probation will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her
20 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
21 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
22 license.

23 If during the period of probation, an accusation or petition to revoke probation has
24 been filed against Respondent's license or the Attorney General's Office has been requested to
25 prepare an accusation or petition to revoke probation against Respondent's license, the
26 probationary period shall automatically be extended and shall not expire until the accusation or
27 petition has been acted upon by the Board.

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1 13. **License Surrender.** During Respondent's term of probation, if she ceases
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
5 take any other action deemed appropriate and reasonable under the circumstances, without
6 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
7 will no longer be subject to the conditions of probation.

8 Surrender of Respondent's license shall be considered a disciplinary action and
9 shall become a part of Respondent's license history with the Board. A registered nurse whose
10 license has been surrendered may petition the Board for reinstatement no sooner than the
11 following minimum periods from the effective date of the disciplinary decision:

12 (1) Two years for reinstatement of a license that was surrendered for any
13 reason other than a mental or physical illness; or

14 (2) One year for a license surrendered for a mental or physical illness.

15 14. **Physical Examination.** Within 45 days of the effective date of this
16 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
17 physician assistant, who is approved by the Board before the assessment is performed, submit an
18 assessment of the Respondent's physical condition and capability to perform the duties of a
19 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
20 medically determined, a recommended treatment program will be instituted and followed by the
21 Respondent with the physician, nurse practitioner, or physician assistant providing written
22 reports to the Board on forms provided by the Board.

23 If Respondent is determined to be unable to practice safely as a registered nurse,
24 the licensed physician, nurse practitioner, or physician assistant making this determination shall
25 immediately notify the Board and Respondent by telephone, and the Board shall request that the
26 Attorney General's office prepare an accusation or petition to revoke probation. Respondent
27 shall immediately cease practice and shall not resume practice until notified by the Board.
28 During this period of suspension, Respondent shall not engage in any practice for which a license

1 issued by the Board is required until the Board has notified Respondent that a medical
2 determination permits Respondent to resume practice. This period of suspension will not apply
3 to the reduction of this probationary time period.

4 If Respondent fails to have the above assessment submitted to the Board within
5 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
6 practice until notified by the Board. This period of suspension will not apply to the reduction of
7 this probationary time period. The Board may waive or postpone this suspension only if
8 significant, documented evidence of mitigation is provided. Such evidence must establish good
9 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
10 provided. Only one such waiver or extension may be permitted.

11 **15. Participate in Treatment/Rehabilitation Program for Chemical**
12 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary
13 period or shall have successfully completed prior to commencement of probation a Board-
14 approved treatment/rehabilitation program of at least six months duration. As required, reports
15 shall be submitted by the program on forms provided by the Board. If Respondent has not
16 completed a Board-approved treatment/rehabilitation program prior to commencement of
17 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in
18 a program. If a program is not successfully completed within the first nine months of probation,
19 the Board shall consider Respondent in violation of probation.

20 Based on Board recommendation, each week Respondent shall be required to
21 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
22 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed
23 by the Board. If a nurse support group is not available, an additional 12-step meeting or
24 equivalent shall be added. Respondent shall submit dated and signed documentation confirming
25 such attendance to the Board during the entire period of probation. Respondent shall continue
26 with the recovery plan recommended by the treatment/rehabilitation program or a licensed
27 mental health examiner and/or other ongoing recovery groups.

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1 If the Respondent believes that she has already participated in a program that
2 meets the condition required by this paragraph, she may submit the information to the Board for
3 review. The Board will make the final determination as to whether Respondent has met the
4 condition required in this paragraph.

5 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent
6 shall completely abstain from the possession, injection or consumption by any route of all
7 controlled substances and all psychotropic (mood altering) drugs, including alcohol, except when
8 the same are ordered by a health care professional legally authorized to do so as part of
9 documented medical treatment. Respondent shall have sent to the Board, in writing and within
10 fourteen (14) days, by the prescribing health professional, a report identifying the medication,
11 dosage, the date the medication was prescribed, the Respondent's prognosis, the date the
12 medication will no longer be required, and the effect on the recovery plan, if appropriate.

13 Respondent shall identify for the Board a single physician, nurse practitioner or
14 physician assistant who shall be aware of Respondent's history of substance abuse and will
15 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
16 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
17 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
18 condition. If any substances considered addictive have been prescribed, the report shall identify a
19 program for the time limited use of any such substances.

20 The Board may require the single coordinating physician, nurse practitioner, or
21 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
22 addictive medicine.

23 **17. Submit to Tests and Samples.** Respondent, at her expense, shall
24 participate in a random, biological fluid testing or a drug screening program which the Board
25 approves. The length of time and frequency will be subject to approval by the Board.
26 Respondent is responsible for keeping the Board informed of Respondent's current telephone
27 number at all times. Respondent shall also ensure that messages may be left at the telephone
28 number when she is not available and ensure that reports are submitted directly by the testing

1 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately
2 to the Board by the program and Respondent shall be considered in violation of probation.

3 In addition, Respondent, at any time during the period of probation, shall fully
4 cooperate with the Board or any of its representatives, and shall, when requested, submit to such
5 tests and samples as the Board or its representatives may require for the detection of alcohol,
6 narcotics, hypnotics, dangerous drugs, or other controlled substances.

7 If Respondent has a positive drug screen for any substance not legally authorized
8 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
9 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
10 *from practice pending the final decision on the petition to revoke probation or the accusation.*

11 This period of suspension will not apply to the reduction of this probationary time period.

12 If Respondent fails to participate in a random, biological fluid testing or drug
13 screening program within the specified time frame, Respondent shall immediately cease practice
14 and shall not resume practice until notified by the Board. After taking into account documented
15 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
16 Board may suspend Respondent from practice pending the final decision on the petition to
17 revoke probation or the accusation. This period of suspension will not apply to the reduction of
18 this probationary time period.

19 18. **Mental Health Examination.** Respondent shall, within 45 days of the
20 effective date of this Decision, have a mental health examination including psychological testing
21 as appropriate to determine her capability to perform the duties of a registered nurse. The
22 examination will be performed by a psychiatrist, psychologist or other licensed mental health
23 practitioner approved by the Board. The examining mental health practitioner will submit a
24 written report of that assessment and recommendations to the Board. All costs are the
25 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
26 result of the mental health examination will be instituted and followed by Respondent.

27 If Respondent is determined to be unable to practice safely as a registered nurse,
28 the licensed mental health care practitioner making this determination shall immediately notify

1 the Board and Respondent by telephone, and the Board shall request that the Attorney General's
2 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
3 practice and may not resume practice until notified by the Board. During this period of
4 suspension, Respondent shall not engage in any practice for which a license issued by the Board
5 is required, until the Board has notified Respondent that a mental health determination permits
6 Respondent to resume practice. This period of suspension will not apply to the reduction of this
7 probationary time period.

8 If Respondent fails to have the above assessment submitted to the Board within
9 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
10 practice until notified by the Board. This period of suspension will not apply to the reduction of
11 this probationary time period. The Board may waive or postpone this suspension only if
12 significant, documented evidence of mitigation is provided. Such evidence must establish good
13 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
14 provided. Only one such waiver or extension may be permitted.

15 **19. Therapy or Counseling Program.** Respondent, at her expense, shall
16 participate in an on-going counseling program until such time as the Board releases her from this
17 requirement and only upon the recommendation of the counselor. Written progress reports from
18 the counselor will be required at various intervals.

19 If the Respondent believes that she has already participated in a program
20 that meets the condition required by this paragraph, she may submit the information to the Board
21 for review. The Board will make the final determination as to whether Respondent has met the
22 condition required in this paragraph. Moreover, the condition in this paragraph may change
23 based on the results of Respondent's Mental Health evaluation.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Mary Work. I understand the stipulation and the effect it will have on my Registered Nurse License, and Registered Nurse License No. 477575. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board.

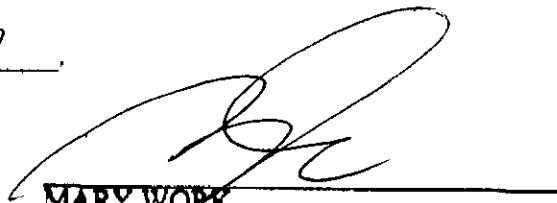
DATED: 19 Nov. 2007



TANIA CELINE PERAZA AKA TANIA CELINE SLED
AKA TANIA CELINE SAUCEDO AKA TANIA CELINE
ROUNDY
Respondent

I have read and fully discussed with Respondent Tania Celine Peraza aka Tania Celine Sled aka Tania Celine Saucedo aka Tania Celine Roundy the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 11/19/07



MARY WORK
Attorney for Respondent

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OCT-26-2007 16:59

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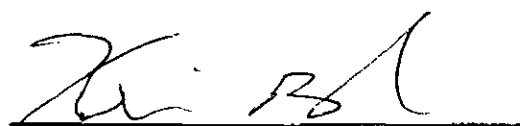
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: November 28, 2007

EDMUND G. BROWN JR., Attorney General
of the State of California

KAREN B. CHAPPELLE
Deputy Attorney General


KEVIN W. BUSH
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2006601601
60251853.wpd

Exhibit A
Accusation No. 2007-227

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JENNIFER S. CADY
Supervising Deputy Attorney General
3 KEVIN W. BUSH, State Bar No. 210322
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2544
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2007 - 227

12 TANIA CELINE PERAZA
a.k.a. TANIA CELINE SLED
13 a.k.a. TANIA CELINE SAUCEDO
a.k.a. TANIA CELINE ROUNDY
14 20951 Wren Street
Apple Valley, CA 92308

A C C U S A T I O N

15 Registered Nurse License No. 477575

16 Respondent.
17

18 Complainant alleges:

19 PARTIES

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 (Board), Department of Consumer Affairs.

23 2. On or about March 31, 1992, the Board issued Registered Nurse License
24 No. 477575 to Tania Celine Peraza, also known as Tania Celine Sled, Tania Celine Saucedo, and
25 Tania Celine Roundy (Respondent). The Registered Nurse License was in full force and effect at
26 all times relevant to the charges brought herein and will expire on June 30, 2007, unless renewed.

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3. This Accusation is brought before the Board, under the authority of the

STATUTORY PROVISIONS

4. Section 2750 of the Business and Professions Code (Code) provides, in

5. Section 2764 of the Code provides, in pertinent part, that the expiration of

6. Section 2761 of the Code states:

“The board may take disciplinary action against a certified or licensed nurse or

“(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(1) Incompetence or gross negligence in carrying out usual certified or licensed

“(f) Conviction of a felony or of any offense substantially related to the

• • •

“(d) Violating or attempting to violate, directly or indirectly, or assisting in or

7 Section 2762 of the Code states

"In addition to other acts constituting unprofessional conduct within the meaning

1 under this chapter to do any of the following:

2 “(a) Obtain or possess in violation of law, or prescribe, or except as directed by a
3 licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish
4 or administer to another, any controlled substance as defined in Division 10 (commencing with
5 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
6 defined in Section 4022.

7 “(b) Use any controlled substance as defined in Division 10 (commencing with
8 Section 11000) of the Health and Safety Code. or any dangerous drug or dangerous device as
9 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or
10 injurious to himself or herself, any other person, or the public or to the extent that such use
11 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
12 license.”

13 “(c) Be convicted of a criminal offense involving the prescription, consumption,
14 or self-administration of any of the substances described in subdivisions (a) and (b) of this
15 section, or the possession of, or falsification of a record pertaining to, the substances described in
16 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
17 thereof.

18
19 “(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible
20 entries in any hospital, patient, or other record pertaining to the substances described in
21 subdivision (a) of this section.”

22 8. Health and Safety Code section 11171 states:

23 “No person shall prescribe, administer, or furnish a controlled substance except
24 under the conditions and in the manner provided by this division.”

25 9. Health and Safety Code section 11173 states:

26 “(a) No person shall obtain or attempt to obtain controlled substances, or procure
27 or attempt to procure the administration of or prescription for controlled substances, (1) by fraud,
28 deceit, misrepresentation , or subterfuge; or (2) by the concealment of a material fact.

1 “(b) No person shall make a false statement in any prescription, order, report, or
2 record, required by this division.”

3 10. Health and Safety Code section 11377, subdivision (a) states:

4 “Except as authorized by law and as otherwise provided in subdivision (b) or
5 Section 11375, or in Article 7 (commencing with Section 4211) of Chapter 9 of Division 2 of the
6 Business and Professions Code, every person who possesses any controlled substance which is
7 (1) classified in Schedule III, IV or V, and which is not a narcotic drug, (2) specified in
8 subdivision (d) of Section 11054, except paragraphs (13), (14), (15), and (20) of subdivision (d),
9 (3) specified in paragraph (11) of subdivision (c) of Section 11056, (4) specified in paragraph (2)
10 or (3) of subdivision (f) of Section 11054, or (5) specified in subdivision (d), (e), or (f) of Section
11 11055, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian, licensed to
12 practice in this state, shall be punished by imprisonment in a county jail for a period not more
13 than one year or in the state prison.”

14 11. California Code of Regulations, title 16, section 1442 states:

15 “As used in Section 2761 of the Code, ‘gross negligence’ includes an extreme
16 departure from the standard of care, which, under similar circumstances, would have ordinarily
17 been exercised by a competent registered nurse. Such an extreme departure means the failure to
18 provide nursing care as required or failure to provide care or to exercise ordinary precaution in a
19 single situation in which the nurse knew, or should have known, could have jeopardized the
20 client’s health or life.”

21 12. California Code of Regulations, title 16, section 1443 states:

22 “As used in Section 2761 of the code, ‘incompetence’ means the lack of
23 possession of or the failure to exercise that degree of learning, skill, care and experience
24 ordinarily possessed and exercised by a competent registered nurse as described in Section
25 1443.5.”

26 13. California Code of Regulations, title 16, section 1443.5 states:

27 “A registered nurse shall be considered to be competent when he/she consistently
28 demonstrates the ability to transfer scientific knowledge from social, biological and physical

1 sciences in applying the nursing process, as follows:

2 “(1) Formulates a nursing diagnosis through observation of the client's physical
3 condition and behavior, and through interpretation of information obtained from the client and
4 others, including the health team.

5 “(2) Formulates a care plan, in collaboration with the client, which ensures that
6 direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and
7 protection, and for disease prevention and restorative measures.

8 “(3) Performs skills essential to the kind of nursing action to be taken, explains
9 the health treatment to the client and family and teaches the client and family how to care for the
10 client's health needs.

11 “(4) Delegates tasks to subordinates based on the legal scopes of practice of the
12 subordinates and on the preparation and capability needed in the tasks to be delegated, and
13 effectively supervises nursing care being given by subordinates.

14 “(5) Evaluates the effectiveness of the care plan through observation of the client's
15 physical condition and behavior, signs and symptoms of illness, and reactions to treatment and
16 through communication with the client and health team members, and modifies the plan as
17 needed.

18 “(6) Acts as the client's advocate, as circumstances require, by initiating action to
19 improve health care or to change decisions or activities which are against the interests or wishes
20 of the client, and by giving the client the opportunity to make informed decisions about health
21 care before it is provided.”

22 10. Section 125.3 of the Code provides, in pertinent part, that the Board may
23 request the administrative law judge to direct a licentiate found to have committed a violation or
24 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
25 and enforcement of the case.

26 14. CONTROLLED SUBSTANCES

27 “Demerol,” is a brand of meperidine hydrochloride, a derivative of pethidine. It is
28 a Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(16)

1 and is categorized as a "dangerous drug" pursuant to Business and Professions Code section
2 4022.

3 **FIRST CAUSE FOR DISCIPLINE**

4 (Falsification of Hospital Records and Incompetence)

5 15. Respondent is subject to disciplinary action on the grounds of
6 unprofessional conduct as defined in sections 2761, subdivision (a)(1) and 2762, subdivision (e).
7 The facts and circumstances are as follows:

8 From in or about January 2004, through in or about April, 2004, Respondent,
9 while employed at Barstow Community Hospital, diverted large amounts narcotics, including,
10 but not limited to, Demerol. Respondent falsified patient and hospital records by signing out
11 Demerol that was never administered to patients. Respondent diverted the narcotics for her
12 personal use.

13 **SECOND CAUSE FOR DISCIPLINE**

14 (Obtaining or Possessing a Controlled Substance by Fraud or Deceit and Use of a Controlled
15 Substance)

16 16. Respondent is subject to disciplinary action under section 2762,
17 subdivisions (a) and (b), on the grounds of unprofessional conduct, in that Respondent possessed
18 or obtained a controlled substances and used the controlled substances. The facts and
19 circumstances are as follows:

20 From in or about January, 2004, through in or about April, 2004, Respondent
21 falsified hospital records, obtained, through fraud or deceit, controlled substances and used said
22 controlled substances in violation of Health and Safety Code sections 11171 and 11173,
23 subdivisions (a) and (b). The facts and circumstances are more fully detailed in paragraph 15.

24 **THIRD CAUSE FOR DISCIPLINE**

25 (Conviction of Substantially Related Crime)

26 17. Respondent is subject to disciplinary action, on the grounds of
27 unprofessional conduct as defined under section 2761, subdivision (f), and section 2762,
28 subdivision (b), in that Respondent was convicted of a crime that is substantially related to the

1 qualifications, functions, and duties of a registered nurse, as follows:

2 a. On or about November 15, 2004, in the Superior Court of the State of
3 California, County of San Bernardino, Barstow District, case number FBA008040, in the case
4 entitled, *People of the State of California v. Tania Celine Peraza*, Respondent was convicted, on
5 a plea of guilty, of violating Health and Safety Code section 11377, subdivision (a) (Possession
6 of a controlled substance without a valid prescription), a felony.

7 b. The facts and circumstances surrounding the conviction are that on or
8 about April 22, 2004, Respondent was in possession of a controlled substances (Demerol)
9 without a valid prescription from a physician, dentist, podiatrist or veterinarian licensed to
10 practice in this state.

11 PRAYER


12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board issue a decision:

14 1. Revoking or suspending Registered Nurse License No. 477575, issued to
15 Tania Celine Peraza, also known as Tania Celine Sled, Tania Celine Saucedo, and Tania Celine
16 Roundy;

17 2. Ordering Tania Celine Peraza pay the Board the reasonable costs of the
18 investigation and enforcement of this case, pursuant to Business and Professions Code section
19 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

21 DATED: 2/27/07

22
23 
24 RUTH ANN TERRY, M.P.H., R.N.
25 Executive Officer
26 Board of Registered Nursing
27 State of California
28 Complainant